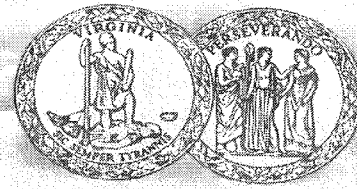


# COMMONWEALTH OF VIRGINIA



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## STATE CORPORATION COMMISSION

October 29, 2008

To: The Honorable Timothy M. Kaine  
Governor of Virginia  
and  
The General Assembly of Virginia

We are pleased to submit the Report of the State Corporation Commission on the Financial Impact of Mandated Health Insurance Benefits and Providers Pursuant to Section 38.2-3419.1 of the Code of Virginia: 2007 Reporting Period.

Respectfully submitted,

A handwritten signature in black ink, reading "Judith Williams Jagdmann".

Judith Williams Jagdmann  
Chairman

A handwritten signature in black ink, reading "Mark C. Christie".

Mark C. Christie  
Commissioner

A handwritten signature in black ink, reading "James C. Dimitri".

James C. Dimitri  
Commissioner

REPORT OF THE  
STATE CORPORATION COMMISSION ON

**The Financial Impact of Mandated Health  
Insurance Benefits and Providers Pursuant  
to Section 38.2-3419.1 of the Code of  
Virginia: 2007 Reporting Period**

TO THE GOVERNOR AND  
THE GENERAL ASSEMBLY OF VIRGINIA

COMMONWEALTH OF VIRGINIA  
RICHMOND

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## EXECUTIVE SUMMARY

Section 38.2-3419.1 of the Code of Virginia and the State Corporation Commission's Rules Governing the Reporting of Cost and Utilization Data Relating to Mandated Benefits and Mandated Providers (14 VAC 5-190-10 et seq.) require every insurer, health services plan, and health maintenance organization (HMO) from which a report is deemed necessary to report to the State Corporation Commission (Commission) cost and utilization information for each of the mandated benefits and mandated providers identified in §§ 38.2-3408 through 38.2-3419, and § 38.2-4221 of the Code of Virginia. The Commission is required to prepare a consolidation of these reports, as represented by this document, for submission to the Governor and the General Assembly. This document constitutes the Commission's report for the 2007 calendar year reporting period.

Of the 787 companies licensed to issue accident and sickness or subscription contracts in Virginia or licensed as HMOs in Virginia in 2007, only 40 companies were required to file full reports (26 insurers and 14 HMOs) for the 2007 reporting period. Of the 26 insurers, 5 issued only individual contracts, 14 issued only group certificates or subscription contracts, and 7 issued both individual contracts and group certificates or subscription contracts. This report reflects data provided by 26 companies representing 50.32% of the Virginia accident and sickness insurance market and 973,469 units of coverage (single and family individual contracts and group certificates) subject to Virginia's mandated benefit and provider requirements. The data of 14 HMOs, representing an additional 29.70% of the Virginia accident and sickness market and 745,460 units of coverage, was also used in the preparation of this report. Because HMOs are not subject to all of the mandated benefit requirements of Title 38.2 of the Code of Virginia and are regulated by the Commission's Rules Governing Health Maintenance Organizations (14 VAC 5-211-10 et seq.) with regard to the services they must provide, the data reported by HMOs has been analyzed separately from data reported by insurers and health services plans.

### **Premium Impact**

To assess the impact of mandated benefits, offers and providers on premiums applicable to individual contracts and group certificates, the Commission required companies to report the total annual premium that would be charged for what is considered to be a standard health insurance contract and/or group certificate in Virginia. The total annual premium is reported, per unit of coverage, for individual contracts and group certificates, including single and family coverage.

The figures displayed in this report illustrate, on average, a percentage of the annual premium attributable to each mandated benefit, offer and provider, for both individual and group business as reported by insurers and health services plans for a standard health insurance contract issued in Virginia. The information appearing in **Tables 1, 2, 3, and 4** is useful in assessing that percentage of overall average premium for a standard health insurance contract or certificate that is associated with specific mandated benefits, offers and providers.

## Claim Experience

In addition to premium information, companies reported their claim experience for each mandated benefit, offer and provider for calendar year 2007. The following summary illustrates the average claim cost per contract or certificate and the average percentage of total claims that this cost represents for **all** mandated benefits, offers and providers **taken collectively**. Refer to **Tables 5 and 6** for the average claim cost per contract or certificate, and the average percentage of total claims that this cost represents for each specific mandated benefit, offer or provider.

Individual		Group	
Average Claim Cost Per Contract	Average Percent of Total Claims	Average Claim Cost Per Certificate	Average Percent of Total Claims
\$273.24	8.85%	\$369.84	13.03%

On average, for an individual health insurance contract or subscription contract providing the type of coverage under which mandated benefits, offers and providers are applicable, approximately \$273.00 was paid for claims attributable to mandated benefits, offers and providers. This represents approximately 9% of all claim payments made under this type of individual contract. Likewise, approximately \$370.00 was paid in claim payments under a group certificate providing applicable coverage, which accounts for approximately 13% of all claim payments made under this type of group certificate.

The above numbers are useful in assessing the average claim cost of mandates relative to claim costs associated with all other benefits. However, these numbers cannot be computed by totaling or averaging the costs associated with individual mandates illustrated elsewhere in this report.

Claim information regarding the rate of utilization of the mandated benefits, offers and providers is also reported. It is anticipated that these rates may also be helpful in assessing the relative effect of new mandates, and in comparing the changes that occur among providers that render similar services from one reporting period to another.

## INTRODUCTION

Section 38.2-3419.1 of the Code of Virginia requires every insurer, health services plan, and HMO from which a report is deemed necessary under regulations adopted by the State Corporation Commission (Commission) to report to the Commission cost and utilization information for each of the mandated benefits and mandated providers contained in §§ 38.2-3408 through 38.2-3419, and § 38.2-4221 of the Code of Virginia. Companies are required to submit their reports no later than May 1 of the year following the reporting period. The Commission is required to prepare a consolidation of these reports for submission to the Governor and the General Assembly by October 31 of each year. This document constitutes the Commission's report for the 2007 calendar year reporting period.

### Background

Pursuant to § 38.2-3419.1 of the Code of Virginia, the Commission's Rules Governing the Reporting of Cost and Utilization Data Relating to Mandated Benefits and Mandated Providers (14 VAC 5-190-10 et seq.) specify the detail and form of the information that must be reported by insurers. The Commission's first annual report on the financial impact of mandated health insurance benefits and providers (1993 House Document No. 9) was issued in 1992 for the reporting period of October 1, 1991, through December 31, 1991. Subsequent House Documents and Reports are shown in Appendix A.

Mandated benefit statutes typically require insurers to provide, or offer coverage for a particular treatment or category of treatments, to extend coverage to certain persons, or to continue coverage in certain situations. Virginia's mandated benefit requirements can be divided into two distinct categories:

- benefits or provisions which must be included in all accident and sickness insurance contracts and certificates to which the mandates apply (referred to as “mandated benefits”); and
- benefits or provisions which must be offered and made available to anyone purchasing an accident and sickness insurance contract or certificate to which the mandates apply (referred to as “mandated offers”).

Virginia's mandated provider statutes (§§ 38.2-3408 and 38.2-4221) prohibit insurers and health services plans from denying reimbursement for covered services which have been legally rendered by certain types of practitioners licensed by the Commonwealth of Virginia. It should be noted that §§ 38.2-3408 and 38.2-4221 do not mandate that any additional services be covered by an insurance or subscription contract. The statutes simply specify those types of practitioners that must be reimbursed for the provision of covered services.

## METHODOLOGY

### Study Population

14 VAC 5-190-10 et seq. requires companies to report claim and premium data specific to each benefit and provider category contained in §§ 38.2-3408 through 38.2-3419, and § 38.2-4221 of the Code of Virginia. **Data regarding self-funded plans and policies issued in other states which provide coverage to residents of Virginia is not represented in this report because such plans and policies are generally not subject to the mandated benefit and mandated provider requirements of Virginia.**

Of the 787 companies licensed to issue accident and sickness or subscription contracts or licensed as HMOs in Virginia in 2007, only 40 companies were required to file full reports. Those companies not required to file a full report pursuant to 14 VAC 5-190-10 et seq. wrote \$500,000 or more of accident and sickness insurance premiums, but less than \$500,000 in premiums on policies subject to mandates, and were thus required by 14 VAC 5-190-10 et seq. to file abbreviated reports (there were 166 companies meeting this criterion). Those companies not required to file a report either (i) wrote less than \$500,000 of accident and sickness premiums in Virginia during calendar year 2007; or (ii) did not issue any policies subject to §§ 38.2-3408 through 38.2-3419, or § 38.2-4221 of the Code of Virginia during 2007.

Information presented in this report reflects data provided by 26 companies, and 14 HMOs. This report reflects the data of 5 companies that issued individual contracts, 14 companies that issued group certificates or subscription contracts, and 7 companies that issued both individual contracts and group certificates or subscription contracts in Virginia in 2007. These 26 companies represent 50.32% of the Virginia accident and sickness insurance market and 973,469 units of coverage (single and family individual contracts and group certificates) subject to Virginia's mandated benefit and provider requirements. The 14 HMOs represent an additional 29.70% of the Virginia accident and sickness market and 745,460 units of coverage. Because HMOs are not subject to all of the mandated benefit requirements of Title 38.2 of the Code of Virginia, the data provided by HMOs has been analyzed separately from data provided by insurers and health services plans. The combined data in this report represents 80.02% of the Virginia accident and sickness market and 1,718,929 units of coverage.



## **Claim Data**

14 VAC 5-190-10 et seq. requires companies to use certain procedure and diagnosis codes when developing claim information for each benefit category. Benefits have been defined in this manner in order to ensure a reasonable level of consistency among data collection methodologies employed by the various companies. The codes utilized in the preparation of this report are part of two widely accepted coding systems used by most hospitals, health care providers, and insurers. These systems are outlined in the Physicians' Current Procedural Terminology, 2007 Office Edition (CPT-Plus procedure codes) and the International Classification of Diseases - 9th Revision - Clinical Modification, Sixth Edition, 2007 Office Edition (ICD-9 - CM diagnosis codes).

With respect to mandated providers, companies are required to identify all claims attributable to each provider category. Because some of these providers render services that are covered by mandated benefits, in some cases claims may be recorded against both a benefit and a provider category. Therefore, it should be recognized that some double counting of claims may occur.

It is also recognized that most covered services rendered by non-physician providers can also be performed by appropriately trained medical doctors (physicians). Therefore, it may be assumed that in the absence of the mandated provider provisions of §§ 38.2-3408 and 38.2-4221, some level of claim costs would be incurred as a result of insureds seeking similar treatment from physicians.

With respect to the administrative costs associated with mandated benefits and providers, most companies indicated that they were unable to generate reliable information. Figures provided by those companies that were able to generate the cost data varied greatly.

## **Premium Data**

Companies are required to use actual claim experience and other relevant actuarial information to determine the premium impact of each mandated benefit and mandated provider category.

Companies did not specify an additional cost of coverage for a mandated benefit or provider category. An exception may occur with mandated offers of coverage. For those companies that do not include the mandated offers of coverage in their base level of benefits, specific rates must be developed so that contract holders who select such coverages can be appropriately charged for them.

Because companies do not ordinarily develop rates for most benefit and provider categories, it is recognized that much of the premium data reported to the Commission has been developed for the express purpose of complying with § 38.2-3419.1 and 14 VAC 5-190-10 et seq.

### **Data Quality**

The information presented in this report is believed to be representative of the industry's experience for calendar year 2007.

## DEFINITIONS

The following sections contain summary descriptions of the mandated benefit offer and provider requirements for which companies must provide claim and premium information. These summaries are included only to provide an overview of the required coverages applicable to the 2007 reporting period.

### **Mandated Benefits and Mandated Offers**

#### Dependent Children

Section 38.2-3409 of the Code of Virginia requires that accident and sickness insurance policies and subscription contracts that contain the provision that coverage for a dependent child shall terminate upon that child's attainment of a specified age must continue coverage for the dependent child beyond that specified age for as long as the child is incapable of self-sustaining employment due to mental retardation or physical handicap and is chiefly dependent upon the policyholder for support and maintenance. Insurers and health services plans are permitted to charge an additional premium for the continuation of coverage based on the class of risks applicable to the child.

#### "Doctor" to Include Dentist

Section 38.2-3410 of the Code of Virginia requires that the terms "physician" and "doctor" be construed to include a dentist performing covered services within the scope of his professional license when used in any accident and sickness insurance policy or subscription contract. This provision is not intended to apply to routine dental services.

#### Newborn Children

Section 38.2-3411 of the Code of Virginia requires that accident and sickness insurance policies or subscription contracts that provide family coverage shall extend such coverage to a newly born child. The policy must contain coverage for injury or sickness, including the necessary care and treatment of medically diagnosed congenital defects and birth abnormalities. The insurer or health services plan may require that it be notified of the birth and that payment of any additional premium or fees be made within 31 days after the date of birth for coverage to continue beyond the initial 31-day period.

## Child Health Supervision Services

Section 38.2-3411.1 of the Code of Virginia requires that insurers "offer and make available" coverage for the periodic examination of children under accident and sickness insurance policies and subscription contracts. The statute defines child health supervision services to include a history, a complete physical examination, a developmental assessment, anticipatory guidance, appropriate immunizations, and laboratory tests. Coverage must allow for services to be rendered at the following age intervals: birth, 2 months, 4 months, 6 months, 9 months, 12 months, 15 months, 18 months, 2 years, 3 years, 4 years, 5 years, and 6 years. Benefits for coverage of these services are not subject to copayment, coinsurance, deductible, or other dollar limit provisions. Insurers and health services plans having fewer than 1,000 covered individuals in Virginia or less than \$500,000 in premiums in Virginia are not subject to the requirements of this statute.

## Mental Health and Substance Abuse Services

Section 38.2-3412.1 of the Code of Virginia requires that accident and sickness policies and subscription contracts providing coverage on an expense incurred basis to a family member shall provide the following inpatient and partial hospitalization mental health and substance abuse services:

1. Treatment for an adult as an inpatient for at least 20 days per policy or contract year;
2. Treatment for a child or adolescent as an inpatient for at least 25 days per policy or contract year;
3. Up to 10 days of the inpatient benefit may be converted, when medically necessary, at the option of the person or parent of a child or adolescent, to partial hospitalization (the conversion shall be at least 1.5 days of partial hospitalization for each inpatient day); and
4. Limits on the inpatient and partial hospitalization coverage which are not to be more restrictive than for any other illness.

With regard to policies and contracts covering a family member on an expense incurred basis, the insured or subscriber shall be provided the following outpatient coverage for mental health and substance abuse services:

1. At least 20 visits for an adult, child or adolescent in each policy or contract year;

2. Limits that shall be no more restrictive than for any other illness, except the coinsurance factor applicable to any outpatient visit beyond the first five of such visits covered in any policy or contract year shall be at least 50%; and
3. Medication management visits, which shall be treated as any other illness and shall not be counted as outpatient visits under § 38.2-3412.1.

### Biologically Based Mental Illness

Section 38.2-3412.1:01 of the Code of Virginia requires each insurer issuing group contracts, health services plans, and HMOs to provide coverage for the treatment of mental illnesses considered to be biologically based. Benefits for biologically based mental illnesses may not be different or separate from coverage for any other illness, except when such benefits meet the medical criteria necessary to achieve the same outcomes as are achieved by the benefits for any other illness, condition or disorder.

### Obstetrical Services

Section 38.2-3414 of the Code of Virginia requires each insurer and health services plan to provide, as an option, coverage for inpatient obstetrical services to group policyholders or contract holders. The coverage cannot be more restrictive than that provided for the treatment of physical illness.

### Obstetrical Benefits - Coverage for Postpartum Services

Section 38.2-3414.1 of the Code of Virginia requires insurers, health services plans, and HMOs providing benefits for obstetrical services to provide coverage for postpartum services in accordance with the guidelines outlined in the statute.

### Conversion from Group to Individual Coverage

Section 38.2-3416 of the Code of Virginia requires that insurers and health services plans offer a conversion (individual) accident and sickness policy or contract without evidence of insurability upon termination of eligibility under the group policy. However, it is not required that the conversion policy contain the same level of benefits as the group policy.

### Coverage for Victims of Rape or Incest

Section 38.2-3418 of the Code of Virginia requires that each hospital expense, medical-surgical expense, major medical expense, or hospital confinement indemnity insurance policy issued by an insurer, each individual and group subscription contract providing hospital, medical, or surgical benefits issued by a corporation, and each contract issued by a health maintenance organization which provides benefits as a result of an accident or accidental injury is construed to include benefits for pregnancy following an act of rape of an insured or subscriber which was reported to the police within seven days following its occurrence, to the same extent as any other covered accident. The seven-day requirement is extended to 180 days in the case of an act of rape or incest of a female under 13 years of age.

### Mammograms

Section 38.2-3418.1 of the Code of Virginia requires insurers, health services plans, and HMOs to provide coverage for low-dose screening mammograms for the purpose of determining the presence of occult breast cancer. Such coverage must allow for one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over. The benefit can be limited to \$50 but must not be more restrictive than for physical illness generally.

### Bone Marrow Transplants

Section 38.2-3418.1:1 of the Code of Virginia requires insurers, health services plans, and HMOs to offer and make available coverage for the treatment of breast cancer by dose intensive chemotherapy/autologous bone marrow transplants or stem cell transplants. **Section 38.2-3418.1:1 of the Code of Virginia is repealed July 1, 2008.**

### Pap Smears

Section 38.2-3418.1:2 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage for annual pap smears, including annual testing performed by any FDA-approved gynecological cytology screening technologies.

### Procedures Involving Bones and Joints

Section 38.2-3418.2 of the Code of Virginia prohibits insurers, health services plans, or HMOs from excluding coverage or imposing restrictive limits for diagnostic or surgical treatment involving any bone or joint of the head, neck, face or jaw on policies providing coverage for this treatment for any bone or joint of the skeletal structure.

### Hemophilia and Congenital Bleeding Disorders

Section 38.2-3418.3 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage for hemophilia and congenital bleeding disorders. Coverage shall provide for the purchase of blood products and blood infusion equipment required for home treatment of routine bleeding episodes associated with hemophilia and other congenital bleeding disorders when the home treatment program is under the supervision of the state-approved hemophilia treatment center.

### Reconstructive Breast Surgery

Section 38.2-3418.4 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage for reconstructive breast surgery. The statute defines reconstructive breast surgery as surgery performed coincident with or following a mastectomy or following a mastectomy to reestablish symmetry between the two breasts. Reconstructive breast surgery shall also include coverage for prostheses, and physical complications of mastectomy, including medically necessary treatment of lymphedemas. The reimbursement for reconstructive breast surgery shall have durational limits, dollar limits, deductibles, and coinsurance factors that are no less favorable than for physical illness generally. Coverage shall be provided in a manner determined in consultation with the attending physician and the patient.

### Early Intervention Services

Section 38.2-3418.5 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage for early intervention services. Early intervention services is defined as medically necessary speech and language therapy, occupational therapy, physical therapy and assistive technology services, and devices for dependents from birth to age 3 who are certified by the Department of Mental Health, Mental Retardation and Substance Abuse Services as eligible for services under Part H of the Individuals with Disabilities Act (20 U.S.C. § 1471 et seq.). Coverage shall be limited to a benefit of \$5,000 per dependent per policy or calendar year and shall not be applied to any contractual

provision limiting the total amount of coverage paid by the insurer, health services plan, or HMO to or on behalf of the dependent during the dependent's lifetime.

### PSA Testing

Section 38.2-3418.7 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage (i) to persons age 50 and over and (ii) to persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society (ACS), for one prostate-specific antigen (PSA) test in a 12-month period and digital rectal examinations, in accordance with the ACS's guidelines.

### Clinical Trials for Treatment Studies on Cancer

Section 38.2-3418.8 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage for patient costs incurred during participation in clinical trials for treatment studies on cancer, including ovarian cancer trials.

### Minimum Hospital Stay for Hysterectomy

Section 38.2-3418.9 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage for a minimum stay in the hospital of not less than 23 hours for a laparoscopy-assisted vaginal hysterectomy and 48 hours for a vaginal hysterectomy. The attending physician, in consultation with the patient, may determine that a shorter period of hospital stay is appropriate.

### Coverage for Diabetes

Section 38.2-3418.10 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage for equipment, supplies and in-person outpatient self-management training and education, including medical nutrition therapy, for the treatment of insulin-dependent diabetes, insulin-using diabetes, gestational diabetes and noninsulin-dependent diabetes.

### Coverage for Hospice Care

Section 38.2-3418.11 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage for hospice services.



### Coverage for Childhood Immunizations

Section 38.2-3411.3 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage for all routine and necessary immunizations for each newborn child from birth to 36 months of age.

### Coverage for Infant Hearing Screening and Related Diagnostics

Section 38.2-3411.4 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage for infant hearing screenings and all necessary audiological examinations provided and prescribed for newborn children.

### Coverage for Colorectal Cancer Screening

Section 38.2-3418.7:1 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage for colorectal cancer screening.

### Coverage for Hospitalization and Anesthesia for Dental Procedures

Section 38.2-3418.12 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage for medically necessary general anesthesia and hospitalization or facility charges of a facility licensed to provide outpatient surgical procedures for certain covered persons who are determined to require general anesthesia and admission to a hospital or outpatient surgery facility for dental care treatment.

### Coverage for the Treatment of Morbid Obesity

Section 38.2-3418.13 of the Code of Virginia requires that insurers, health services plans, and HMOs offer and make available coverage for the treatment of morbid obesity through gastric bypass surgery or such other methods as may be recognized by the National Institutes of Health as effective for the long-term reversal of morbid obesity.

### Coverage for Lymphedema

Section 38.2-3418.14 of the Code of Virginia requires that insurers, health services plans, and HMOs provide coverage for the treatment of lymphedema, including benefits for equipment, supplies, complex decongestive therapy, and outpatient self-management training and education.

## **Mandated Provider Categories**

Sections 38.2-3408 and 38.2-4221 of the Code of Virginia provide that if an accident and sickness insurance policy or subscription contract provides reimbursement for any service that may be legally performed by a person licensed in this Commonwealth as a chiropractor, optometrist, optician, professional counselor, psychologist, clinical social worker, podiatrist, physical therapist, chiropodist, clinical nurse specialist who renders mental health services, audiologist, speech pathologist, certified nurse midwife, marriage and family therapist or licensed acupuncturist, reimbursement under the policy or subscription contract shall not be denied because the service is rendered by the licensed practitioner.

## PREMIUM IMPACT

To assess the impact of coverage for mandated benefits, offers and providers on premiums applicable to individual contracts and group certificates, the Commission requires companies to report the total annual premium that would be charged for what is considered to be a standard health insurance contract and/or group certificate. The total annual premium is reported, per unit of coverage, for individual contracts and group certificates, including single and family coverage. The **overall average premium** utilized in the following tables was calculated as an average of the total annual premium reported for single and family coverage, for both individual contracts and group certificates. Companies also report the dollar amount of annual premium attributable to each mandated benefit, offer and provider. Although it is generally understood that companies do not usually develop a separate rate for each mandated benefit, offer and provider separately, companies typically assign a dollar figure to each service and provider based on actual claim experience and other relevant actuarial information. The **percent of overall average premium** attributable to each mandated benefit, offer and provider was computed by dividing the average premium applicable to each mandated benefit, offer and provider by the overall average premium.

The information presented in **Tables 1, 2, 3, and 4** is useful in assessing, on average, the premium cost of providing coverage for each mandated benefit, offer and provider, relative to the overall cost of a standard contract or certificate in Virginia.

### Individual Business

#### Single Coverage

As indicated in **Table 1**, the benefit for mental health services - outpatient, which accounts for 1.91% of the overall average premium, represents the highest portion of premium dollar attributable to mandated benefits, while the premium attributable to a physical therapist represents the most significant portion of premium dollar attributable to mandated providers, .91%.

TABLE 1

PREMIUM IMPACT ON INDIVIDUAL CONTRACTS

<u>Mandate Category</u>	Single Coverage	<u>Percent of Overall Average Premium</u>
Doctor to Include Dentist		.26%
Mental Health Services - Inpatient		1.36
Mental Health Services - Partial Hospitalization		.45
Mental Health Services - Outpatient		1.91
Substance Abuse Services - Inpatient		1.44
Substance Abuse Services - Partial Hospitalization		.28
Substance Abuse Services - Outpatient		1.19
Postpartum Services		.16
Pap Smears		.72
Pregnancy from Rape or Incest		.26
Bones and Joints		.61
Mammograms		.61
Bone Marrow Transplants *		1.16
Child Health Supervision Services *		.15
Reconstructive Breast Surgery		.31
Hemophilia and Congenital Bleeding Disorders		1.02
Early Intervention Services		1.06
PSA Testing		.57
Clinical Trials for Treatment Studies on Cancer		1.44
Minimum Hospital Stay for Hysterectomy		.17
Diabetes		1.43
Hospice Care		.56
Childhood Immunizations		.29
Colorectal Cancer Screening		.62
Hospitalization and Anesthesia for Dental Procedures		.20
Treatment of Morbid Obesity *		1.34
Infant Hearing Screening and Related Diagnostics		.16
Lymphedema		.42
Chiropractor		.82%
Optometrist		.09
Optician		.16
Psychologist		.38
Clinical Social Worker		.16
Podiatrist		.18
Professional Counselor		.34
Physical Therapist		.91
Clinical Nurse Specialist		.10
Audiologist		.16
Speech Pathologist		.16
Certified Nurse Midwife		.16
Licensed Acupuncturist		.16
Marriage and Family Therapist		.16

\* Denotes mandated offer of coverage

As an additional measure of the impact of mandated benefits and providers on individual business providing single coverage, companies are required to report the premium that would be charged for a hypothetical contract covering no mandated benefits or mandated providers and issued to a 30-year old male in a standard premium class living in the Richmond area. Companies are also required to identify the premium that would be charged for a contract including current mandated benefits and mandated providers under the same conditions. The coverage is defined as follows: \$250 deductible; \$1,000 stop-loss limit; 80% coinsurance factor; and \$250,000 contract maximum. The average reported annual premium for such a contract without mandates is \$3,852.45. The average reported annual premium for such a contract with current mandates is \$4,124.07. On average, the mandates represent \$271.62 or 7% (rounded up) of the average annual premium for the contract with current mandates.

### Family Coverage

For contracts providing family coverage, the mental health services – outpatient benefit accounts for a significant portion of the overall average premium, 1.83%. The premium attributable to a physical therapist represents the most significant portion of premium attributable to mandated providers, .73%. See **Table 2**.

## **Group Business**

### Single Coverage

As indicated in **Table 3**, the benefits that have the greatest impact on premium are obstetrical services – all other, bone marrow transplants, and treatment of morbid obesity. Services rendered by a professional counselor have the greatest premium impact with respect to mandated providers, 4.00%.

### Family Coverage

As shown in **Table 4**, benefits for obstetrical services – all other, bone marrow transplants, and obstetrical services - normal have a significant impact on the premium. Services rendered by a physical therapist have the greatest premium impact with respect to mandated providers, .75%.

TABLE 2

PREMIUM IMPACT ON INDIVIDUAL CONTRACTS

<u>Mandate Category</u>	Family Coverage	<u>Percent of Overall Average Premium</u>
Dependent Children		.35%
Doctor to Include Dentist		.40
Newborn Children		.78
Mental Health Services - Inpatient		1.46
Mental Health Services - Partial Hospitalization		.33
Mental Health Services - Outpatient		1.83
Substance Abuse Services - Inpatient		.95
Substance Abuse Services - Partial Hospitalization		.20
Substance Abuse Services - Outpatient		.81
Postpartum Services		.06
Pap Smears		.65
Pregnancy from Rape or Incest		.21
Bones and Joints		.44
Mammograms		.47
Bone Marrow Transplants *		1.02
Child Health Supervision Services *		1.52
Reconstructive Breast Surgery		.27
Hemophilia and Congenital Bleeding Disorders		.24
Early Intervention Services		.54
PSA Testing		.20
Clinical Trials for Treatment Studies on Cancer		1.12
Minimum Hospital Stay for Hysterectomy		.16
Diabetes		1.30
Hospice Care		.42
Childhood Immunizations		.92
Colorectal Cancer Screening		.48
Hospitalization and Anesthesia for Dental Procedures		.13
Treatment of Morbid Obesity *		.34
Infant Hearing Screening and Related Diagnostics		.13
Lymphedema		.29
Chiropractor		.43%
Optometrist		.08
Optician		.13
Psychologist		.29
Clinical Social Worker		.12
Podiatrist		.16
Professional Counselor		.22
Physical Therapist		.73
Clinical Nurse Specialist		.08
Audiologist		.08
Speech Pathologist		.13
Certified Nurse Midwife		.10
Licensed Acupuncturist		.13
Marriage and Family Therapist		.13

\* Denotes mandated offer of coverage

TABLE 3

PREMIUM IMPACT ON GROUP CERTIFICATES

<u>Mandate Category</u>	Single Coverage	<u>Percent of Overall Average Premium</u>
Doctor to Include Dentist		.34%
Mental Health Services - Inpatient		.74
Mental Health Services - Partial Hospitalization		.00
Mental Health Services - Outpatient		.85
Substance Abuse Services - Inpatient		1.22
Substance Abuse Services - Partial Hospitalization		.00
Substance Abuse Services - Outpatient		.22
Postpartum Services		.04
Pap Smears		.41
Obstetrical Services - Normal *		1.95
Obstetrical Services - All Other *		3.29
Pregnancy from Rape or Incest		.05
Bones and Joints		.70
Mammograms		.38
Bone Marrow Transplants *		2.82
Child Health Supervision Services *		.46
Reconstructive Breast Surgery		.29
Hemophilia and Congenital Bleeding Disorders		.25
Early Intervention Services		1.00
PSA Testing		.09
Biologically Based Mental Illness		1.08
Clinical Trials for Treatment Studies on Cancer		.55
Minimum Hospital Stay for Hysterectomy		.09
Diabetes		1.39
Hospice Care		.13
Childhood Immunizations		.39
Colorectal Cancer Screening		.51
Hospitalization and Anesthesia for Dental Procedures		.08
Treatment of Morbid Obesity *		2.54
Infant Hearing Screening and Related Diagnostics		.08
Lymphedema		.30
Chiropractor		1.13%
Optometrist		.09
Optician		.03
Psychologist		.87
Clinical Social Worker		.50
Podiatrist		.54
Professional Counselor		4.00
Physical Therapist		.82
Clinical Nurse Specialist		.47
Audiologist		.04
Speech Pathologist		.07
Certified Nurse Midwife		.03
Licensed Acupuncturist		.03
Marriage and Family Therapist		.08

\* Denotes mandated offer of coverage

TABLE 4

PREMIUM IMPACT ON GROUP CERTIFICATES

<u>Mandate Category</u>	<u>Family Coverage</u>	<u>Percent of Overall Average Premium</u>
Dependent Children		.28%
Doctor to Include Dentist		.43
Newborn Children		.80
Mental Health Services - Inpatient		.74
Mental Health Services - Partial Hospitalization		.01
Mental Health Services - Outpatient		.85
Substance Abuse Services - Inpatient		.50
Substance Abuse Services - Partial Hospitalization		.00
Substance Abuse Services - Outpatient		.20
Postpartum Services		.03
Pap Smears		.29
Obstetrical Services - Normal *		1.62
Obstetrical Services - All Other *		3.47
Pregnancy from Rape or Incest		.07
Bones and Joints		.47
Mammograms		.31
Bone Marrow Transplants *		2.67
Child Health Supervision Services *		.55
Reconstructive Breast Surgery		.20
Hemophilia and Congenital Bleeding Disorders		.21
Early Intervention Services		.57
PSA Testing		.07
Biologically Based Mental Illness		.76
Clinical Trials for Treatment Studies on Cancer		.38
Minimum Hospital Stay for Hysterectomy		.08
Diabetes		1.18
Hospice Care		.18
Childhood Immunizations		.40
Colorectal Cancer Screening		.47
Hospitalization and Anesthesia for Dental Procedures		.08
Treatment of Morbid Obesity *		1.07
Infant Hearing Screening and Related Diagnostics		.09
Lymphedema		.19
Chiropractor		.73%
Optometrist		.07
Optician		.02
Psychologist		.63
Clinical Social Worker		.24
Podiatrist		.33
Professional Counselor		.27
Physical Therapist		.75
Clinical Nurse Specialist		.25
Audiologist		.03
Speech Pathologist		.11
Certified Nurse Midwife		.02
Licensed Acupuncturist		.02
Marriage and Family Therapist		.07

\* Denotes mandated offer of coverage



## **CONVERSION FROM GROUP TO INDIVIDUAL COVERAGE**

Section 38.2-3416 of the Code of Virginia requires that insurers and health services plans offer to group policyholders an option that allows individuals covered under a group policy to convert to an individual accident and sickness contract without evidence of insurability upon termination of eligibility for group coverage. Approximately 24% of companies providing group coverage indicated that they added an amount to the annual premium of the group policyholder to cover this cost.

None of the companies indicated that an additional amount was added to the annual premium applicable to the individual conversion contract to cover the cost of conversion.

Approximately 10% of companies indicated that while they do not add an amount to the group policyholder's annual premium, they do charge a flat fee to the group policyholder for each conversion contract issued. Because of the wide variation in the flat fee reported, a credible average or median value could not be determined.

Approximately 67% of companies reported that they do not assess an identifiable charge to either the group policyholder or the individual for conversion.

## CLAIM EXPERIENCE

### Financial Impact

To assess the impact of mandated benefits, offers and providers on claim payments made by insurers and health services plans in Virginia, the Commission requires companies to report the **total claims** paid or incurred under the types of contracts subject to the reporting requirements, for both individual contracts and group certificates. Companies are also required to report the total claims paid or incurred for each individual mandated benefit, offer and provider as well as the total number of contracts or certificates in which coverage is provided for that mandated benefit, offer and provider. The **average claim cost per contract or certificate** is computed for each mandated benefit, offer and provider by dividing the total claims attributable to the mandated benefit, offer and provider by the number of applicable contracts or certificates. The **average percent of total claims** for a specific mandated benefit, offer and provider is computed by dividing the total claim payments associated with the mandated benefit, offer and provider by the **total claims** reported by the insurers and health services plans. The information presented in **Tables 5** and **6** is useful in assessing, on average, the cost of claims paid and the percentage of total claims that the cost represents for a particular mandated benefit, offer and provider per individual contract or group certificate on applicable contracts or certificates in Virginia.

The following summary illustrates the average percentage of total claims and average claim cost per contract or certificate for all mandated benefits, offers and providers **taken collectively**.

Individual		Group	
Average Claim Cost Per Contract	Average Percent of Total Claims	Average Claim Cost Per Certificate	Average Percent of Total Claims
\$273.24	8.85%	\$369.84	13.03%

TABLE 5

CLAIM EXPERIENCE – INDIVIDUAL CONTRACTS

<u>Mandate Category</u>	<u>Average Claim Cost per Contract</u>	<u>Average Percent of Total Claims</u>
Dependent Children	\$ .31	.01%
Doctor to Include Dentist	4.65	.16
Newborn Children	40.41	1.39
Mental Health Services - Inpatient	20.09	.69
Mental Health Services - Partial Hospitalization	.07	.00
Mental Health Services - Outpatient	30.04	1.03
Substance Abuse Services - Inpatient	8.00	.27
Substance Abuse Services - Partial Hospitalization	.00	.00
Substance Abuse Services - Outpatient	8.76	.30
Postpartum Services	7.20	.23
Pap Smears	38.62	1.25
Pregnancy from Rape or Incest	2.29	.08
Bones and Joints	3.75	.12
Mammograms	23.32	.76
Bone Marrow Transplants *	1.35	.06
Child Health Supervision Services *	31.51	1.02
Reconstructive Breast Surgery	7.91	.26
Hemophilia and Congenital Bleeding Disorders	27.38	.89
Early Intervention Services	8.30	.27
PSA Testing	1.20	.04
Clinical Trials for Treatment Studies on Cancer	.09	.00
Minimum Hospital Stay for Hysterectomy	1.23	.04
Diabetes	9.33	.30
Hospice Care	3.10	.10
Childhood Immunizations	15.51	.50
Colorectal Cancer Screening	17.20	.56
Hospitalization and Anesthesia for Dental Procedures	2.17	.07
Treatment of Morbid Obesity *	.69	.02
Infant Hearing Screening and Related Diagnostics	1.78	.06
Lymphedema	1.70	.06
Chiropractor	\$6.69	.22%
Optometrist	5.64	.19
Optician	.01	.00
Psychologist	1.64	.05
Clinical Social Worker	5.46	.18
Podiatrist	8.13	.26
Professional Counselor	4.94	.16
Physical Therapist	23.61	.76
Clinical Nurse Specialist	.25	.01
Audiologist	.31	.01
Speech Pathologist	.71	.02
Certified Nurse Midwife	.33	.01
Licensed Acupuncturist	.03	.00
Marriage and Family Therapist	.20	.01

\* Denotes mandated offer of coverage

TABLE 6

CLAIM EXPERIENCE – GROUP CERTIFICATES

<u>Mandate Category</u>	<u>Average Claim Cost per Certificate</u>	<u>Average Percent of Total Claims</u>
Dependent Children	\$ 4.70	.14%
Doctor to Include Dentist	6.51	.19
Newborn Children	48.78	1.44
Mental Health Services - Inpatient	17.52	.52
Mental Health Services - Partial Hospitalization	.14	.00
Mental Health Services - Outpatient	50.20	1.49
Substance Abuse Services - Inpatient	11.75	.35
Substance Abuse Services - Partial Hospitalization	.01	.00
Substance Abuse Services - Outpatient	10.36	.31
Postpartum Services	11.50	.40
Pap Smears	24.90	.87
Obstetrical Services - Normal *	17.39	.51
Obstetrical Services - All Other *	52.13	1.54
Pregnancy from Rape or Incest	4.78	.17
Bones and Joints	6.88	.24
Mammograms	17.59	.61
Bone Marrow Transplants *	20.28	.58
Child Health Supervision Services *	18.19	.63
Reconstructive Breast Surgery	4.89	.17
Hemophilia and Congenital Bleeding Disorders	14.79	.52
Early Intervention Services	14.97	.52
PSA Testing	2.08	.07
Biologically Based Mental Illness	28.19	.99
Clinical Trials for Treatment Studies on Cancer	.59	.02
Minimum Hospital Stay for Hysterectomy	5.85	.20
Diabetes	10.53	.37
Hospice Care	7.85	.27
Childhood Immunizations	12.28	.43
Colorectal Cancer Screening	21.21	.74
Hospitalization and Anesthesia for Dental Procedures	.52	.02
Treatment of Morbid Obesity *	1.13	.04
Infant Hearing Screening and Related Diagnostics	2.05	.07
Lymphedema	2.28	.28
Chiropractor	\$23.57	.84%
Optometrist	4.92	.17
Optician	1.02	.04
Psychologist	5.43	.19
Clinical Social Worker	6.59	.24
Podiatrist	9.86	.35
Professional Counselor	4.10	.15
Physical Therapist	23.50	.83
Clinical Nurse Specialist	.55	.02
Audiologist	.54	.02
Speech Pathologist	1.05	.04
Certified Nurse Midwife	.48	.02
Licensed Acupuncturist	.36	.01
Marriage and Family Therapist	.22	.01

\* Denotes mandated offer of coverage

## **ADMINISTRATIVE COSTS**

Reported administrative costs varied greatly among companies. While some indicated that they experienced no discernible administrative costs as a result of mandated benefits and providers, others assigned relatively high values to them. Therefore, while it is reasonable to assume that companies do incur certain administrative costs relative to mandated benefits and providers, the extent of these costs cannot be determined given the variation of data provided by companies for this reporting period.

## **UTILIZATION OF SERVICES**

Companies are required to report the number of visits and the number of days attributable to each mandated benefit and provider category for which claims were paid (or incurred) during the reporting period.

This analysis focuses exclusively on group business because the group data is believed to be significantly more reliable than that reported for individual business. Table 7 represents utilization of services in terms of the average number of visits per certificate for each benefit, and the average number of days per certificate for each benefit.

TABLE 7

UTILIZATION OF SERVICES: GROUP COVERAGE

<u>Benefit Category</u>	<u>Average Visits per Certificate</u>	<u>Average Days per Certificate</u>
Dependent Children	.76	.00
Doctor to Include Dentist	.07	.00
Newborn Children	.29	.07
Mental Health Services - Inpatient	.05	.02
Mental Health Services - Partial Hospitalization	.00	.00
Mental Health Services - Outpatient	.71	.08
Substance Abuse Services - Inpatient	.01	.01
Substance Abuse Services - Partial Hospitalization	.00	.00
Substance Abuse Services - Outpatient	.05	.00
Postpartum Services	.03	.00
Pap Smears	.40	.01
Obstetrical Services - Normal *	.06	.03
Obstetrical Services - All Other *	.29	.25
Pregnancy from Rape or Incest	.02	.00
Bones and Joints	.09	.01
Mammograms	.19	.00
Bone Marrow Transplants *	.04	.01
Child Health Supervision Services *	.33	.01
Reconstructive Breast Surgery	.01	.04
Hemophilia and Congenital Bleeding Disorders	.65	.00
Early Intervention Services	.53	.02
PSA Testing	.08	.00
Biologically Based Mental Illness	.27	.04
Clinical Trials for Treatment Studies on Cancer	.00	.00
Minimum Hospital Stay for Hysterectomy	.00	.00
Diabetes	.10	.01
Hospice Care	.00	.00
Childhood Immunizations	.22	.01
Colorectal Cancer Screening	.11	.00
Hospitalization and Anesthesia for Dental Procedures	.00	.00
Treatment of Morbid Obesity *	.00	.00
Infant Hearing Screening and Related Diagnostics	.05	.00
Lymphedema	.11	.01

\* Denotes mandated offer of coverage

Utilization figures for the mandated provider categories are displayed in **Table 8**.

**TABLE 8**

**UTILIZATION OF SERVICES: GROUP COVERAGE**

<u>Provider Category</u>	<u>Average Visits per Certificate</u>
Chiropractor	.87
Optometrist	.07
Optician	.01
Psychologist	.08
Clinical Social Worker	.15
Podiatrist	.12
Professional Counselor	.10
Physical Therapist	.57
Clinical Nurse Specialist	.01
Audiologist	.01
Speech Pathologist	.03
Certified Nurse Midwife	.00
Licensed Acupuncturist	.01
Marriage and Family Therapist	.01

This type of utilization information may be most useful in identifying changes in the rate of use of various benefits and providers that may occur over a period of years. Provider utilization rates may also be useful when comparing providers that render similar services and the changes that occur from year to year.

## PROVIDER COMPARISONS

In order to compare the average claim cost per visit for physicians to those of selected mandated providers, companies are required to provide claim information for specific procedures. This claim information must be broken down by provider type.

### Psychotherapy

The average claim cost per visit by provider category for a 45 to 50 minute session of medical psychotherapy is illustrated in **Table 9**. The average claim cost per visit for mandated providers is \$62.13 when viewed as a single group. In comparison, the average claim cost per visit for physicians and psychiatrists is \$138.09.

TABLE 9	
MEDICAL PSYCHOTHERAPY 45 TO 50 MINUTE SESSION	
<u>Provider Category</u>	<u>Average Claim Cost Per Visit</u>
Clinical Nurse Specialist	\$65.64
Professional Counselor	45.22
Psychologist	57.21
Clinical Social Worker	47.99
Marriage and Family Therapist	126.94
Mandated Provider Summary	62.13
Physician	116.83
Psychiatrist	167.08
Physician Summary	138.09



Companies are also required to provide claim information regarding group medical psychotherapy. As indicated in **Table 10**, the average claim cost per visit for the mandated provider (non-physician) categories is \$42.16, \$36.90, \$27.55, and \$17.78, compared to the psychiatrist category of \$21.53.

TABLE 10	
GROUP MEDICAL PSYCHOTHERAPY	
<u>Provider Category</u>	<u>Average Claim Cost Per Visit</u>
Professional Counselor	\$17.78
Psychologist	36.90
Clinical Social Worker	27.55
Marriage and Family Therapist	42.16
Physician	73.01
Psychiatrist	21.53

### Physical Medicine Treatment

Companies are required to provide claim information for the following 3 physical medicine treatments: (i) therapeutic exercise (15 minutes); (ii) massage; and (iii) ultrasound. **Tables 11, 12, and 13** illustrate the average claim cost per visit for each procedure by provider type.

TABLE 11	
PHYSICAL MEDICINE TREATMENT, THERAPEUTIC EXERCISE, 15 MINUTES	
<u>Provider Category</u>	<u>Average Claim Cost Per Visit</u>
Chiropractor	\$19.68
Physical Therapist	39.93
Podiatrist	23.35
Speech Pathologist	15.89
Physician	33.20

TABLE 12	
PHYSICAL MEDICINE TREATMENT, MASSAGE	
<u>Provider Category</u>	<u>Average Claim Cost Per Visit</u>
Chiropractor	\$14.15
Physical Therapist	15.99
Podiatrist	18.39
Physician	16.77

TABLE 13	
PHYSICAL MEDICINE TREATMENT, ULTRASOUND	
<u>Provider Category</u>	<u>Average Claim Cost Per Visit</u>
Chiropractor	\$8.96
Physical Therapist	15.17
Podiatrist	9.58
Physician	14.28

### Speech, Language or Hearing Therapy

The average claim cost per visit for speech, language or hearing therapy provided by a physical therapist, speech pathologist, audiologist, and physician categories is displayed in **Table 14**. The speech pathologist category has the highest average claim cost per visit, \$105.13. The physical therapist category has the lowest average claim cost per visit, \$33.68.

TABLE 14	
SPEECH, LANGUAGE OR HEARING THERAPY	
<u>Provider Category</u>	<u>Average Claim Cost Per Visit</u>
Physical Therapist	\$33.68
Speech Pathologist	105.13
Audiologist	38.22
Physician	49.91

## Office Visits

As indicated in **Table 15**, some variation exists among the provider categories regarding the average claim cost per visit for an office visit requiring intermediate service to a new patient. The clinical social worker and physician categories have the highest average claim costs per visit of \$110.00 and \$81.19, respectively.

<u>Provider Category</u>	<u>Average Claim Cost Per Visit</u>
Chiropractor	\$49.16
Physical Therapist	70.61
Podiatrist	59.11
Psychologist	52.69
Clinical Social Worker	110.00
Certified Nurse Midwife	65.51
Psychiatrist	40.62
Physician	81.19

## Other Procedures

Sufficient claim data is unavailable regarding prosthesis for aphakia.

As indicated in **Table 16**, the average claim cost per visit attributable to the physician category for the excision of an ingrown toenail is higher than for the podiatrist category. The average claim cost per visit for the physician category is \$111.05 and for the podiatrist category, \$143.83.

<u>Provider Category</u>	<u>Average Claim Cost Per Visit</u>
Podiatrist	\$143.83
Physician	111.05

## HEALTH MAINTENANCE ORGANIZATIONS

HMOs are subject to 14 VAC 5-211-10 et seq., Rules Governing Health Maintenance Organizations, which define certain basic health care services which must be provided to each covered member, as well as other requirements. In many areas, these requirements differ from those imposed on other insurers, in recognition of the unique nature of HMOs. Because a minimum level of benefits for HMOs has been established through 14 VAC 5-211-10 et seq., not all of the mandated benefit requirements of Chapter 34 (§ 38.2-3400 et seq.) of Title 38.2 of the Code of Virginia apply to HMOs. However, HMOs are subject to § 38.2-3419.1 and 14 VAC 5-190-10 et seq., and are required to provide certain limited data. This section presents information collected from HMOs for the 2007 reporting period.

Data from the 14 HMOs that were required to file full reports for calendar year 2007 was used in the preparation of this report. These organizations represent 29.70% of the Virginia accident and sickness insurance market and 745,460 units of coverage subject to Virginia's mandated benefit requirements.

The premium impact summary and claim experience summary are presented in **Tables 17** and **18**, respectively, and the basis of the calculations are the same as those made for insurers and health services plans (refer to pages 14 and 21).

TABLE 17

**PREMIUM IMPACT SUMMARY**  
Percent of Overall Average Premium

	<u>Individual</u>		<u>Group</u>	
	<u>Single</u>	<u>Family</u>	<u>Single</u>	<u>Family</u>
Mammograms	.48%	.57%	.48%	.38%
Bone Marrow Transplants *	1.29	1.27	1.14	10.19
Bones and Joints	.08	.08	.33	.19
Pap Smears	.30	.55	.45	.34
Postpartum Services	.08	.16	.03	.02
Hemophilia and Congenital Bleeding Disorders	.13	.09	.09	.07
Reconstructive Breast Surgery	.07	.11	.12	.09
Early Intervention Services	.26	.20	.72	.43
PSA Testing	.03	.02	.05	.02
Biologically Based Mental Illness	--	--	1.45	.91
Clinical Trials for Treatment Studies on Cancer	.05	.04	.08	.08
Minimum Hospital Stay for Hysterectomy	.04	.05	.18	.15
Diabetes	.33	.16	1.13	.58
Hospice Care	.00	.00	.06	.06
Childhood Immunizations	.18	.67	.23	.42
Colorectal Cancer Screening	.56	.24	.43	.30
Hospitalization and Anesthesia for Dental Procedures	.06	.04	.06	.06
Treatment of Morbid Obesity *	.32	.62	1.09	.70
Infant Hearing Screening and Related Diagnostics	.09	.07	.05	.07
Lymphedema	.09	.08	.11	.15

\* Denotes mandated offer of coverage

TABLE 18

**CLAIM EXPERIENCE SUMMARY**  
Average Percent of Total Claims

	<u>Individual</u>	<u>Group</u>
	Mammograms	.55%
Bone Marrow Transplants *	.00	.45
Bones and Joints	.17	.02
Pap Smears	.51	.15
Postpartum Services	.03	.00
Hemophilia and Congenital Bleeding Disorders	.01	.03
Reconstructive Breast Surgery	.07	.03
Early Intervention Services	.01	.09
PSA Testing	.12	.01
Biologically Based Mental Illness	--	.22
Clinical Trials for Treatment Studies on Cancer	.02	.01
Minimum Hospital Stay for Hysterectomy	.06	.05
Diabetes	.16	.24
Hospice Care	.00	.00
Childhood Immunizations	.97	.17
Colorectal Cancer Screening	.13	.17
Hospitalization and Anesthesia for Dental Procedures	.00	.01
Treatment of Morbid Obesity *	.00	.00
Infant Hearing Screening and Related Diagnostics	.15	.02
Lymphedema	.01	.01

\* Denotes mandated offer of coverage

-- Benefit not mandated

## COMPARISONS

The following comparisons of mandated benefits, offers and providers, both for claims experience and for premium impact are presented below for the 3 most recent reporting years – 2005, 2006, and 2007.

<b>PREMIUM IMPACT</b>						
Percent of Overall Average Premium						
<u>Mandate Category</u>	<u>Individual</u>			<u>Family</u>		
	<u>Single</u>					
	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
Dependent Children	--	--	--	.25%	.20%	.35%
Doctor to Include Dentist	.17%	.38%	.26%	.37	.33	.40
Newborn Children	--	--	--	1.85	5.30	.78
Mental Health Services - Inpatient	.77	1.02	1.36	.79	1.07	1.46
Mental Health Services – Partial Hospitalization	.29	.34	.45	.19	.13	.33
Mental Health Services - Outpatient	.83	1.49	1.91	1.11	1.58	1.83
Substance Abuse Services - Inpatient	.36	.65	1.44	.35	.56	.95
Substance Abuse Services – Partial Hospitalization	.12	.10	.28	.12	.09	.20
Substance Abuse Services - Outpatient	.27	.59	1.19	.31	.50	.81
Postpartum Services	.10	2.74	.16	.07	1.23	.06
Pap Smears	.48	.56	.72	.57	.46	.65
Pregnancy from Rape or Incest	.10	.19	.26	.11	.15	.21
Bones and Joints	.34	.59	.61	.33	.54	.44
Mammograms	.31	.44	.61	.40	.43	.47
Bone Marrow Transplants *	.34	1.22	1.16	.47	1.13	1.02
Child Health Supervision Services *	.16	.15	.15	1.21	1.26	1.52
Reconstructive Breast Surgery	.13	.20	.31	.20	.16	.27
Hemophilia and Congenital Bleeding Disorders	1.11	.92	1.02	.70	.23	.24
Early Intervention Services	.95	1.39	1.06	.74	.84	.54
PSA Testing	.20	.34	.57	.16	.21	.20
Clinical Trials for Treatment Studies on Cancer	.74	1.12	1.44	.88	.86	1.12
Minimum Hospital Stay for Hysterectomy	.07	.75	.17	.11	1.00	.16
Diabetes	1.26	1.77	1.43	1.44	1.61	1.30
Hospice Care	.36	.42	.56	.33	.32	.42
Childhood Immunizations	.14	.25	.29	.60	.69	.92
Colorectal Cancer Screening	.39	1.11	.62	.47	1.17	.48
Hospitalization and Anesthesia for Dental Procedures	.08	.13	.20	.10	.07	.13
Treatment of Morbid Obesity *	.42	.55	1.34	.40	.39	.34
Infant Hearing Screening and Related Diagnostics	.25	.10	.16	.18	.09	.13
Lymphedema	.27	.56	.42	.30	.28	.29
Chiropractor	.77	1.20	.82	.72	1.19	.43
Optometrist	.09	.24	.09	.12	.31	.08
Optician	.06	.10	.16	.07	.11	.13
Psychologist	.37	.56	.38	.25	.38	.29
Clinical Social Worker	.24	.21	.16	.20	.15	.12
Podiatrist	.26	.51	.18	.24	.52	.16
Professional Counselor	.19	.26	.34	.20	.18	.22
Physical Therapist	.70	4.01	.91	.97	4.62	.73
Clinical Nurse Specialist	.05	.08	.10	.05	.08	.08
Audiologist	.08	.18	.16	.06	.23	.08
Speech Pathologist	.10	.22	.16	.12	.19	.13
Certified Nurse Midwife	.10	.10	.16	.08	.07	.10
Licensed Acupuncturist	.10	.16	.16	.11	.17	.13
Marriage and Family Therapist	.10	.10	.16	.06	.06	.13

\* Denotes mandated offer of coverage  
 -- No activity

**PREMIUM IMPACT**  
Percent of Overall Average Premium

<u>Mandate Category</u>	<u>Group</u>					
				<u>Family</u>		
	<u>Single</u>					
	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
Dependent Children	--	--	--	.12%	1.10%	.28%
Doctor to Include Dentist	1.18%	.26%	.34%	1.24	.27	.43
Newborn Children	--	--	--	.99	1.32	.80
Mental Health Services - Inpatient	.63	.93	.74	.65	.94	.74
Mental Health Services - Partial Hospitalization	.03	.14	.00	.02	.11	.01
Mental Health Services - Outpatient	1.07	.97	.85	1.15	1.05	.85
Substance Abuse Services - Inpatient	.79	.70	1.22	.38	.28	.50
Substance Abuse Services - Partial Hospitalization	.08	.04	.00	.03	.02	.00
Substance Abuse Services - Outpatient	.18	.42	.22	.13	.41	.20
Postpartum Services	.24	.72	.04	.18	.78	.03
Pap Smears	.56	.64	.41	.48	.56	.29
Obstetrical Services - Normal *	2.80	1.99	1.95	2.02	1.78	1.62
Obstetrical Services - All Other *	3.10	4.50	3.29	3.19	4.73	3.47
Pregnancy from Rape or Incest	.05	.05	.05	.06	.06	.07
Bones and Joints	.95	.94	.70	.55	.72	.47
Mammograms	.47	.41	.38	.46	.38	.31
Bone Marrow Transplants *	1.87	2.47	2.82	1.76	2.24	2.67
Child Health Supervision Services *	.40	.44	.46	.62	.56	.55
Reconstructive Breast Surgery	.52	.53	.29	.44	.45	.20
Hemophilia and Congenital Bleeding Disorders	.35	.40	.25	.21	.30	.21
Early Intervention Services	.73	.93	1.00	.63	.73	.57
PSA Testing	.08	.09	.09	.07	.06	.07
Biologically Based Mental Illness	1.12	1.09	1.08	.84	.84	.76
Clinical Trials for Treatment Studies on Cancer	.73	.51	.55	.44	.33	.38
Minimum Hospital Stay for Hysterectomy	.09	.56	.09	.07	.26	.08
Diabetes	1.57	2.51	1.39	1.42	2.94	1.18
Hospice Care	.23	.21	.13	.21	.20	.18
Childhood Immunizations	.25	.37	.39	.36	.47	.40
Colorectal Cancer Screening	1.09	1.08	.51	1.15	.96	.47
Hospitalization and Anesthesia for Dental Procedures	.05	.06	.08	.06	.06	.08
Treatment of Morbid Obesity *	1.73	1.99	2.54	.99	.80	1.07
Infant Hearing Screening and Related Diagnostics	.08	.12	.08	.09	.10	.09
Lymphedema	.30	.30	.30	.21	.25	.19
Chiropractor	1.57	1.19	1.13	1.22	.81	.73
Optometrist	.10	.31	.09	.07	.32	.07
Optician	.00	.42	.03	.00	.43	.02
Psychologist	.87	.96	.87	.46	.60	.63
Clinical Social Worker	.42	.51	.50	.21	.32	.24
Podiatrist	.43	.36	.54	.33	.29	.33
Professional Counselor	.16	.19	4.00	.25	.25	.27
Physical Therapist	1.02	.75	.82	.96	.71	.75
Clinical Nurse Specialist	.54	.32	.47	.24	.24	.25
Audiologist	.03	.12	.04	.03	.11	.03
Speech Pathologist	.04	.06	.07	.14	.11	.11
Certified Nurse Midwife	.03	.06	.03	.02	.05	.02
Licensed Acupuncturist	.11	.07	.03	.12	.07	.02
Marriage and Family Therapist	.08	.04	.08	.05	.04	.07

\* Denotes mandated offer of coverage

-- No activity

**CLAIMS EXPERIENCE**  
Average Percent of Total Claims

Individual

<u>Mandate Category</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
Dependent Children	.01%	.03%	.01%
Doctor to Include Dentist	.04	.05	.16
Newborn Children	.98	2.30	1.39
Mental Health Services - Inpatient	.72	.82	.69
Mental Health Services – Partial Hospitalization	.02	.02	.00
Mental Health Services - Outpatient	1.23	1.28	1.03
Substance Abuse Services - Inpatient	.17	.19	.27
Substance Abuse Services – Partial Hospitalization	.07	.07	.00
Substance Abuse Services - Outpatient	.10	.10	.30
Postpartum Services	.06	.20	.23
Pap Smears	1.32	1.25	1.25
Pregnancy from Rape or Incest	.08	.08	.08
Bones and Joints	.14	.12	.12
Mammograms	.77	.75	.76
Bone Marrow Transplants *	.56	2.13	.06
Child Health Supervision Services *	1.15	1.09	1.02
Reconstructive Breast Surgery	.22	.21	.26
Hemophilia and Congenital Bleeding Disorders	1.15	.87	.89
Early Intervention Services	.24	.25	.27
PSA Testing	.04	.04	.04
Clinical Trials for Treatment Studies on Cancer	.00	.01	.00
Minimum Hospital Stay for Hysterectomy	.30	.27	.04
Diabetes	.31	.34	.30
Hospice Care	.12	.09	.10
Childhood Immunizations	.46	.79	.50
Colorectal Cancer Screening	.65	.58	.56
Hospitalization and Anesthesia for Dental Procedures	.01	.01	.07
Treatment of Morbid Obesity *	.02	.02	.02
Infant Hearing Screening and Related Diagnostics	.07	.06	.06
Lymphedema	.06	.05	.06
Chiropractor	.92	.87	.22
Optometrist	.14	.16	.19
Optician	.00	.00	.00
Psychologist	.06	.06	.05
Clinical Social Worker	.20	.19	.18
Podiatrist	.28	.28	.26
Professional Counselor	.19	.18	.16
Physical Therapist	.82	.78	.76
Clinical Nurse Specialist	.01	.01	.01
Audiologist	.01	.01	.01
Speech Pathologist	.02	.02	.02
Certified Nurse Midwife	.01	.01	.01
Licensed Acupuncturist	.00	.00	.00
Marriage and Family Therapist	.00	.01	.01

\* Denotes mandated offer of coverage



**CLAIMS EXPERIENCE**  
Average Percent of Total Claims

<u>Mandate Category</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
	<u>Group</u>		
Dependent Children	.06%	.07%	.14%
Doctor to Include Dentist	.10	.09	.19
Newborn Children	1.26	1.14	1.44
Mental Health Services - Inpatient	.52	.59	.52
Mental Health Services – Partial Hospitalization	.02	.01	.00
Mental Health Services - Outpatient	1.38	1.14	1.49
Substance Abuse Services - Inpatient	.14	.11	.35
Substance Abuse Services – Partial Hospitalization	.05	.05	.00
Substance Abuse Services - Outpatient	.14	.10	.31
Postpartum Services	.25	.02	.40
Pap Smears	.89	.69	.87
Obstetrical Services -Normal *	.90	.87	.51
Obstetrical Services – All Other *	3.55	2.66	1.54
Pregnancy from Rape or Incest	.05	.04	.17
Bones and Joints	.19	.13	.24
Mammograms	.60	.47	.61
Bone Marrow Transplants *	.61	.27	.58
Child Health Supervision Services *	.77	.53	.63
Reconstructive Breast Surgery	.18	.13	.17
Hemophilia and Congenital Bleeding Disorders	.39	.40	.52
Early Intervention Services	.48	.37	.52
PSA Testing	.06	.05	.07
Biologically Based Mental Illness	1.00	.76	.99
Clinical Trials for Treatment Studies on Cancer	.01	.01	.02
Minimum Hospital Stay for Hysterectomy	.21	.15	.20
Diabetes	.52	.39	.37
Hospice Care	.04	.03	.27
Childhood Immunizations	.33	.28	.43
Colorectal Cancer Screening	.75	.56	.74
Hospitalization and Anesthesia for Dental Procedures	.01	.02	.02
Treatment of Morbid Obesity *	.04	.02	.04
Infant Hearing Screening and Related Diagnostics	.08	.06	.07
Lymphedema	.08	.06	.08
Chiropractor	.90	.68	.84
Optometrist	.13	.11	.17
Optician	.03	.03	.04
Psychologist	.21	.17	.19
Clinical Social Worker	.25	.20	.24
Podiatrist	.36	.27	.35
Professional Counselor	.17	.11	.15
Physical Therapist	.80	.64	.83
Clinical Nurse Specialist	.02	.01	.02
Audiologist	.01	.01	.02
Speech Pathologist	.03	.03	.04
Certified Nurse Midwife	.02	.01	.02
Licensed Acupuncturist	.01	.00	.01
Marriage and Family Therapist	.01	.01	.01

\* Denotes mandated offer of coverage

Although these comparisons show some variations among categories during the 3 reporting periods, the percentages illustrate a general overall consistency of premium impact as well as claim experience of mandated benefits and mandated providers during the reporting periods.

## CONCLUSION

Individually, Virginia's mandated benefit and provider requirements vary greatly in their impact on health insurance premiums. It is reasonable to conclude from the data presented in **Tables 1, 2, 3, and 4** that the premium attributable to mandated benefits and providers represents an appreciable portion of the premium dollar. This impact is higher on group business. When mandated offers of coverage are removed from the analysis, however, the aggregate effect of mandated benefits and providers may be somewhat reduced.

Generally, there is a variation between the overall ratio of utilization of services and providers to the corresponding claim cost attributable to these services and providers.

Reported utilization rates vary considerably among benefit and provider categories. Utilization information may be helpful in assessing the relative impact of new mandates and in comparing changes in utilization from one year to the next.

Claim information associated with certain medical treatments and procedures produced mixed results when comparing average claim costs attributable to mandated providers and their physician counterparts.

## APPENDIX A

The Commission's first annual report on the financial impact of mandated health insurance benefits and providers (1993 House Document No. 9) was issued in 1992 for the reporting period of October 1, 1991, through December 31, 1991. Subsequent House Documents and Reports are shown below.

<u>Document No.</u>	<u>Date Issued</u>	<u>Reporting Period</u>
1994, HD6	1993	Calendar year 1992
1995, HD3	1994	Calendar year 1993
1996, HD5	1995	Calendar year 1994
1997, HD15	1996	Calendar year 1995
1998, HD10	1997	Calendar year 1996
1999, HD6	1998	Calendar year 1997
2000, HD12	1999	Calendar year 1998
2001, HD7	2000	Calendar year 1999
2002, HD10	2001	Calendar year 2000
2003, HD8	2002	Calendar year 2001
2003, RD49	2003	Calendar year 2002
2004, RD110	2004	Calendar year 2003
2005, RD191	2005	Calendar year 2004
2006, RD289	2006	Calendar year 2005
2007, RD246	2007	Calendar year 2006